

REMARKS

Claims 3-10 are pending in the present application. All of these claims stand rejected. The Applicant requests reconsideration of the rejections of these claims based on the following remarks.

Claims 3-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Thompson et al. (U.S. Patent No. 5,335,276) in view of Stern (Publication WO 97/14222). The Applicant respectfully traverses this rejection based on the following reasons.

With respect to independent claim 3, the Office Action asserts that Thompson discloses all of the features of claim 3 except for the feature of a call-answering functionality that is enabled by the microcontroller in combination with the digital voice memory. While the Applicant agrees that Thompson does not disclose the call-answering functionality feature of claim 3, other elements of claim 3 are also not specifically taught or suggested by Thompson. In the following paragraph each element missing in the teachings of Thompson are discussed.

First, as argued in the Applicant's previous response, the memories 84 and 284 shown in the embodiments of Figures 7 and 8 of Thompson, respectively, are merely taught to contain resident applications in core software programs associated with either a handheld communication device 50 or a desktop telephone 150 (see, e.g., col. 10, ll. 60-62, explaining that the resident memory 84 contains resident applications and core software programs). No teaching or suggestion is given by Thompson that either of the memories 84, 284 are digital voice memories, let alone digital voice memories that interface with an integrated circuit with which "a call-answering functionality is enabled by the microcontroller in combination with the digital voice memory" as featured in claim 3. The Office Action has failed to point out where or how Thompson actually teaches this feature of claim 3.

Additionally, the Office Action asserts that Thompson teaches a radio-cell specific logic module and ascribes the disclosure of application module 100 as equivalent to this claimed feature. However, the Office Action also later attributes this application module 100 as the equivalent of the claimed "interface" without any explanation of how this contradiction of relating two different claim elements to the same, singular element of Thompson is reconcilable. Furthermore, the Applicant submits that whether or not this contradiction is reconcilable (which it is not) is subordinate to the facts that the application module 100 of Thompson is not an

interface to a digital voice memory and not a radio-cell specific logic module, but merely an application module providing applications such as those enumerated in col. 3, lines 41-55.

Finally, the claimed feature of “an interface to a digital voice memory with which a call-answering functionality is enabled via the microprocessor in combination with the digital voice memory: is not disclosed by Thompson. The application module 100, which is alleged to be equivalent to the claimed “interface,” is not shown or taught to enable a call-answering functionality via a microprocessor in combination with a digital voice memory.

Of the features of claim 3 that are missing from Thompson as enumerated above, Stern does not teach or suggest these features. Additionally, contrary to the inference made in the present Office Action, Stern does not teach or suggest an interface with which call-answering functionality is enabled via a microcontroller in combination with a voice memory. Rather, FIG. 2 of Stern illustrates how the Personal Voice Server (PVS) taught therein receives already digitized data from a central message server via a modem. Thus, this is not a call-answering functionality, but merely a data handshaking to download data. Accordingly, the Applicant submits that Stern does not actually teach or suggest this claimed feature.

Moreover, one of ordinary skill in the art would not be motivated to combine the teachings of Stern with Thompson to arrive at the features of claim 3. In particular, the recited motivation to combine (i.e., “in order to use a telephone link as a communication link for high speed transmission of pre-recorded material and control codes to facilitate that transmission, limiting the use line [sic] for voice messaging as a recording or playback device”) fails to yield a device that would include or even need to include the claimed “interface to a digital voice memory with which a call-answering functionality is enabled by the microcontroller in combination with the digital voice memory,” in part due to the fact that this element is missing from the references. However, even when these references are combined, the stated motivation to combine would not direct one of ordinary skill to include this claimed feature. More specifically, one of ordinary skill in the art would not be motivated to include an interface to a digital voice memory with which a call-answering functionality is enabled in order to effect high speed transmission of pre-recorded material. At best, all that one of ordinary skill would be motivated to do is provide a memory for transferring data, along with a modem responding to a ring as taught by Stern. Thus, the Applicant submits that no motivation is extant to motivate one of ordinary skill in the art to arrive at all of the elements of claim 3.



According to the above comments, the Applicant respectfully submits that the combination of Thompson and Stern does not render the features of claim 3 obvious and requests that the rejection be withdrawn, accordingly.

With respect to dependent claims 4-6, these claims are believed to be allowable at least by virtue of their dependency on independent claim 3.

With respect to independent claim 7, the Applicant respectfully submits that this claim is allowable for at least the reasons presented above with respect to claim 3.

Dependent claims 8-10 are also submitted to be allowable at least by virtue of their dependency on independent claim 7.

In light of the preceding comments, the Applicant respectfully submits that claims 3-10 are allowable over the prior art of record and request that a timely Notice of Allowance be issued in this case.

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